

Yacovone, Krista

From: DiPippo, Gary <Gary.DiPippo@Cornerstoneeg.com>
Sent: Thursday, December 05, 2013 3:46 PM
To: Gorin, Jonathan
Cc: John M. Hoffman
Subject: RE: FS Table
Attachments: Table 4-1_ARARs.doc

Here it is Jon.

Gary

From: Gorin, Jonathan [mailto:Gorin.Jonathan@epa.gov]
Sent: Thursday, December 05, 2013 3:42 PM
To: DiPippo, Gary
Cc: John M. Hoffman
Subject: FS Table

Hey Gary, I need to make some tweeks to the ARARs table for the ROD. So can you send me the FS table 4-1 in Word?

Thanks, jon

Table 4-1
Site-Specific ARARs
LCP Chemicals, Inc. Superfund Site
Feasibility Study

Standard, Requirement, or Criterion	Citation or Reference	Type	Description	Status	Comments
FEDERAL					
Air: Clean Air Act	42 USC 7401, Section 112	Action specific	Establishes limits on emissions to atmosphere from industrial and commercial activities.	Applicable	Applicable to alternatives that may emit pollutants to the air.
National Ambient Air Quality Standards (NAAQS)	40 CFR Part 50	Action specific	Establishes emissions limits for primary and secondary NAAQS	Applicable	Applicable to alternatives that may emit pollutants to the air
Standards of Performance for New Stationary Sources	40 CFR Part 60	Action specific	Establishes emissions requirements for new stationary sources	Applicable	Applicable to alternatives that may emit pollutants to the air
National Emission Standards for Hazardous Air Pollutants (NESHAPs)	40 CFR Part 61	Action specific	Establishes limits on hazardous emissions to the atmosphere	Applicable	Applicable to alternative that may emit pollutants to the air. Sets requirements for public exposure to hazardous airborne emissions.
OSHA Permissible Exposure Limits	29 CFR 1910.1000	Chemical specific	Provides time weighted average exposure concentrations for workers for air pollutants	Applicable	Applicable to alternatives where workers are exposed to air pollutants.
Vapor Intrusion Guidance	OSWER Draft Guidance Document	Chemical specific	Provides soil vapor, indoor air screening levels	TBC	Potentially applicable depending on ultimate redevelopment of the site (i.e., redeveloped with buildings)
Fish and Wildlife: Fish and Wildlife Coordination Act	16 USC 661, 40 CFR 6.302(g)	Location specific	Provides protection of fish and wildlife from actions resulting in the control or structural modification of natural streams and water bodies.	Relevant and Appropriate	Potentially applicable to alternatives involving placement of fill in South Branch Creek.
Endangered Species Act	16 USC 1531(h) through 1543, 50 CFR 17,402, and 40 CFR 6.302(b)	Location specific	Provide protection of endangered/threatened species and against adversely modifying/destroying of critical habitats	Relevant and Appropriate	Threatened or endangered species not identified at the site; not likely applicable.
Groundwater: Maximum Contaminant Levels (MCLs)	40 CFR Part 141	Chemical specific	Maximum permissible levels of contaminants in water that is delivered to any user of a public water system.	Relevant and Appropriate	Applicable to determining whether groundwater if used from the Site for drinking would require treatment to reduce concentrations to levels below the MCLs. Groundwater at the site is not anticipated to be used.

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Underground Injection Control Program	40 CFR Part 146	Action specific	Establishes technical criteria and standards for underground injection wells.	Relevant and Appropriate	Potentially applicable if the remedial activities include in-situ soil treatment technologies below the groundwater table.
Hazardous Waste: General Hazardous Waste Management System Regulations	40 CFR Part 260	Action specific	Provides definitions of terms and general standards applicable to hazardous waste management system regulations.	Applicable	Applicable if remedial activities include the management of hazardous waste.
Identification and Listing of Hazardous Waste	40 CFR Part 261	Chemical specific	Defines those wastes, which are subject to regulation as hazardous wastes, and lists specific chemical and industry-source wastes.	Applicable	Applicable to determining whether wastes are hazardous, and to brine sludge in closed RCRA unit.
Generators of Hazardous Waste	40 CFR 262	Chemical specific	Establishes requirements for generators of hazardous waste (EPA ID numbers and manifests).	Applicable	Applicable to remedial activities that involve the management of a hazardous waste.
Transportation of Hazardous Wastes.	40 CFR 263 and 49 CFR 107, 171-180	Action specific	Established standards for the transportation of hazardous wastes and/or materials.	Applicable	Applicable to remedial activities that involve the off-site transportation of hazardous waste.
Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities	40 CFR 264	Action, location, and chemical specific	Establishes the minimum standards for the management of hazardous waste and includes regulations for land disposal units.	Applicable	Applicable to remedial activities that include disposal of hazardous wastes, or treatment of hazardous waste at the site.
Land Disposal Restrictions	40 CFR 268	Chemical specific	Identifies hazardous wastes which are restricted from land disposal and identifies treatment requirements prior to disposal	Applicable	Applicable to remedial activities that include disposal of hazardous wastes.
Soil: Mercury Export Ban Act	Public Law 110-414 (122 STAT. 4341 – 4348)	Action and chemical specific	Establishes export and resale ban of elemental mercury containing materials. Remediation wastes may be exported for treatment/disposal but not for sale or reuse of any recovered mercury.	Applicable	Applicable to remedial activities that include international, off-site disposal of elemental mercury.
Surface Water: Clean Water Act (CWA)	33 USC 1342	Action and chemical specific	Sets standards for the restoration and maintenance of chemical, physical and biological characteristics of surface water.	Applicable/ TBC	Applicable for selected remedial technologies (e.g., surface water discharge), and potentially assessment of South Branch Creek.
National Pollutant Discharge Elimination System	40 CFR 122	Action and chemical specific	Requires permits for the discharge of pollutants from any point source into waters of the United States	Applicable	Applicable for selected remedial technologies (e.g., surface water discharge of treated groundwater)

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Wetlands and Costal Zone: Executive Order No. 11990 - Protection of Wetlands	40 CFR 6.302(a) and Appendix A	Location specific	Requires Federal agencies to take action to avoid adversely impacting wetlands wherever possible and to minimize wetlands destruction.	Applicable	Applicable to remedial actions that affect wetland areas.
Executive Order No. 11988 - Floodplain Management	40 CFR 6.302(b) and Appendix A	Location specific	Requires Federal agencies to evaluate the potential effects of actions it may take in a floodplain to avoid adversely impacting floodplains wherever possible.	Applicable	Applicable to remedial actions that affect floodplains.
Section 404 CWA	33 CFR 330	Location and Action Specific	Regulates discharge of dredged or fill material into waters of the United States	Applicable	Applicable to remedial actions that may involve placement of fill in South Branch Creek.
Wetland Permits	40 CFR 230 – 233	Location specific	Provides wetland permitting requirements for actions in and around wetlands and waters of the United States	Applicable	Applicable to remedial actions that may impact wetlands and/or placement of fill in South Branch Creek.
Coastal Zone Management Act	16 USC 1451, Section 302	Location specific	Establishes state program to preserve, protect, develop, and restore or enhance resources of the Nation's coastal zone	Applicable	Applicable to remedial actions that occur within a coastal zone, however, coastal zone is not present adjacent to the site.
Other: Comprehensive Environmental Response, Compensation, and Liability Act and Superfund Amendments and Reauthorization Act	40 CFR 300, Subpart E	Action specific	Outlines procedures for remedial action planning and implementation	Applicable	Applicable to Superfund remedial actions
STATE OF NEW JERSEY					
Air: Permits and Certificates for Minor Facilities	NJAC 7:27-8	Action specific	Governs permits and certificates for facilities classified as minor air pollution sources.	Applicable	Applicable if the selected remediation system qualifies as a minor air pollution source (e.g., groundwater treatment of VOCs).
Ambient Air Quality Standards	NJAC 7:27-13	Action and chemical specific	Establishes air quality standards for the protection of public health and the preservation of ambient air quality.	Applicable	Applicable to remedial alternatives that result in air emissions (e.g., groundwater treatment of VOCs).

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Control and Prohibition of Air Pollution from Diesel-Powered Motor Vehicles, Gasoline-Powered Motor Vehicles, VOCs, Toxic Compounds	NJAC 7:27-14, 15, 16, 17	Action and chemical specific	Establishes allowable emissions from general industrial process source categories.	Applicable	Applicable to remedial alternatives that result in air emissions, such as VOCs.
Control and Prohibition of Air Pollution from New or Altered Sources Affecting Ambient Air Quality (Emission Offset Rules)	NJAC 7:27-18	Action and chemical specific	Establishes air quality guidelines and standards for specific sources.	Applicable	Applicable to contaminant emissions during remedial activities that may impact ambient air quality.
Operating Permits and Certificates	NJAC 7:27-22	Action specific	Describes requirements and procedures for obtaining operating permits and certificates for major air pollution sources	Applicable	Applicable to remedial alternatives that result in air emissions such as groundwater treatment for VOCs.
Vapor Intrusion Guidance	NJDEP Guidance Document, October 2005	Chemical specific	Provides soil vapor, indoor air, rapid action, and health department notification screening levels	TBC	Potentially applicable depending on ultimate redevelopment of the site.
Fish and Wildlife: Endangered and Threatened Species	NJAC 7:13-3.9	Location specific	Identifies endangered and threatened species and species of special concern.	Relevant and Appropriate	Threatened or endangered species not identified at the site; not likely applicable.
Groundwater: New Jersey Primary Drinking Water Standards	NJAC 7:10-5	Chemical specific	Maximum permissible levels of contaminants in water that are delivered to any user of a public water system.	TBC	Applicable to determining whether groundwater if used from the Site for drinking would require treatment to meet the MCLs. Groundwater at the site is not anticipated to be used.
Groundwater Quality Standards	NJAC 7:9C	Chemical specific	Lists the maximum permissible levels of contaminants in groundwater.	Applicable	Applicable to groundwater remedial alternatives.
Underground Injection Control Program	NJAC 7:14A-8	Action specific	Establishes controls for injection practices	Relevant and Appropriate	Potentially applicable if the remedial activities include in-situ treatment technologies below the groundwater table.

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Hazardous and Solid Waste: Identification and Listing of Hazardous Waste	NJAC 7:26G-5	Chemical specific	Describes methods for identifying hazardous wastes and lists known hazardous wastes.	Applicable	Applicable to determining whether wastes are hazardous.
Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities	NJAC 7:26G-8	Action specific	Establishes permit requirements and construction and operations standards.	Applicable	Applicable if remedial activities include the treatment, storage, and/or disposal of hazardous waste.
Land Disposal Restrictions	NJAC 7:26G-11	Action and chemical specific	Identifies hazardous wastes that are subject to land disposal restrictions	Applicable	Applicable if remedial activities include the disposal of hazardous waste
Transportation of Hazardous Materials	NJAC 16:49	Action specific	Regulates shipping/transport of hazardous materials.	Applicable	Applicable if action includes off-site transport of hazardous materials
Solid Waste Regulations	NJAC 7:26	Action specific	Regulates non-hazardous waste management.	Applicable	Applicable if action includes generation or management of solid wastes.
Sediment Guidance for Sediment Quality Evaluations	NJDEP Guidance Document, May 2011	Chemical specific	Establishes guidance for sediment evaluation to be used in ecological risk assessment process under Site Remediation Program	TBC	Provides basis for determining sediment cleanup criteria for remedial actions
Surface Water: Storm Water Management	NJAC 7:8	Action specific	Establishes requirements for managing and controlling storm water from the site.	Applicable	Applicable if conditions are altered for remedial activities.
Surface Water Standards	NJAC 7:9B	Chemical specific	Sets standards for the restoration and maintenance of chemical, physical and biological characteristics of surface water.	Applicable/ TBC	Applicable to certain remedial technologies (e.g., surface water discharge), and potentially assessment of South Branch Creek.
Flood Hazard Area Control	NJAC 7:13	Location specific	Controls and limits development in flood plains	Applicable	Applicable to remedial activities in a flood plain.
New Jersey Pollutant Discharge Elimination System Rules	NJAC 7:14A	Action and chemical specific	Establishes standards for surface water discharge for site remediation projects. Takes precedence over National Pollution Discharge Elimination System regulations (40 CFR 122 and 125)	Applicable	Potentially applicable if remedial activities include discharge to surface water.
Treatment Works Approval	NJAC 7:14A-22,23	Action and chemical specific	Regulates the construction and operation of industrial and domestic wastewater collection, conveyance, and treatment facilities.	Relevant and Appropriate	Potentially applicable if remedial activities include a treatment plant or pre-treatment plant with discharge to POTW.

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Soil: Soil Erosion and Sediment Control/Mitigation	NJAC 7:13-3.3, 3.4	Action specific	Requires controls for erosion and sediment transport.	Applicable	Applicable to construction activities that disturb soils.
Remediation Standards	NJAC 7:26D	Chemical specific	Soil site-specific cleanup levels. Includes guidance on development of impact to groundwater soil remediation standards. Regulations also include remediation standards for groundwater and surface water.	Applicable	Provides soil, groundwater, and surface water cleanup objectives.
Wetlands and Costal Zone: Freshwater Wetland Protection Act Rules	NJAC 7:7A	Location specific	Establishes requirements for the protection of freshwater wetlands.	Applicable	Applicable to remedial actions that affect wetland areas, such as adjacent to South Branch Creek.
Coastal Permit Program Rules	NJAC 7:7	Location specific	Establishes requirements for the protection of coastal areas.	Applicable	Applicable to remedial actions that occur within a coastal zone. Coastal zone (CAFRA) is not present adjacent to the site, however, waterfront development requirements would apply.
Other: Noise Control	NJAC 7:29	Action specific	Limits the noise generated from any industrial, commercial, public service or community service facility.	Applicable	Limits the noise that can be generated during remedial activities.
Technical Requirements for Site Remediation	NJAC 7:26E	Action specific	Specifies requirements for remedial activities within New Jersey.	Applicable	State program for implementation of remedial activities and part of Licensed Site Remediation Professional program.
Well Construction and Maintenance, Sealing of Abandoned Wells	NJAC 7:9D	Action specific	Specifies requirements for installation and abandonment of wells.	Applicable	Applicable to remedial action that involve construction or abandonment of wells.
NJDEP Site Remediation Guidance Library	NJAC 7:26C	Action and/or location specific	Provide technical guidance for various aspects of site remediation	Applicable	State program for implementation of remedial activities and part of Licensed Site Remediation Professional program.